

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. )  
SIDNEY MARKER, )  
Defendant. )

8:21CR78  
ORDER

This matter is before the court on the defendant, Sidney Marker's Motion to Continue Trial [137]. The defendant seeks additional time as plea negotiations are in process to resolve the case short of trial. On May 17, 2022, the court held a hearing on defendant, Carney Turner's motion to continue [124] during which the defendant orally moved to continue. Both motions were withdrawn but the court heard argument from the government in opposition to a continuance. Defendant, Carney Turner is scheduled for a change of plea hearing on May 25, 2022. After consideration of the record, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

**IT IS ORDERED** that the Motion to Continue Trial [137] is granted, as follows:

1. The jury trial, now set for May 31, 2022 is continued to **July 18, 2022**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and July 18, 2022**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **May 26, 2021**. The objecting party must comply with all requirements of NECrimR 59.2.

**DATED: May 23, 2022.**

**BY THE COURT:**  
**s/ Michael D. Nelson**  
**United States Magistrate Judge**